

# Exhibit 47

**From:** Swanson, Alexander  
**To:** "Gail Andler"; Lesley Weaver; Derek Loeser; Kutscher Clark, Martie; Snyder, Orin; Falconer, Russ; Stein, Deborah L.; Matthew Melamed; Cari Laufenberg; Chris Springer; Anne Davis; Buongiorno, Matt; Mumm, Laura C.; David Ko  
**Cc:** Daniel Garrie; Matthew Levington  
**Subject:** RE: In re Facebook: December 16 Mediation  
**Date:** Wednesday, December 15, 2021 11:45:48 AM

---

Dear Judge Andler and Counsel:

Facebook proposes the following topics related to Facebook's discovery requests to Plaintiffs to discuss at tomorrow's mediation:

1. Plaintiffs' refusal to provide information about their usage of non-Facebook social media platforms, including basic account identifying information and documents sufficient to show personal information posted to such platforms.
2. Plaintiffs' refusal to produce information responsive to Facebook's discovery requests that is in the exclusive possession of Plaintiffs' counsel.
3. Plaintiffs' refusal to disclose their knowledge of their Facebook friends' usage of certain apps and devices.

Facebook submits that the following topic is at impasse:

1. Plaintiffs' deficient Rule 26 disclosure regarding the bases for their damages claims.

Sincerely,

**Alexander P. Swanson**

**GIBSON DUNN**

Gibson, Dunn & Crutcher LLP  
333 South Grand Avenue, Los Angeles, CA 90071-3197  
Tel +1 213.229.7907 • Fax +1 213.229.6907  
[ASwanson@gibsondunn.com](mailto:ASwanson@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

---

**From:** Gail Andler <judgeandler@icloud.com>  
**Sent:** Sunday, December 12, 2021 11:51 PM  
**To:** Lesley Weaver <lweaver@bfalaw.com>; Derek Loeser <dloeser@kellerrohrback.com>; Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>; Snyder, Orin <OSnyder@gibsondunn.com>; Falconer, Russ <RFalconer@gibsondunn.com>; Stein, Deborah L. <DStein@gibsondunn.com>; Matthew Melamed <mmelamed@bfalaw.com>; Cari Laufenberg <claufenberg@kellerrohrback.com>; Chris Springer <cspringer@kellerrohrback.com>; Anne Davis <adavis@bfalaw.com>; Buongiorno, Matt <MBuongiorno@gibsondunn.com>; Mumm, Laura C. <LMumm@gibsondunn.com>; Swanson, Alexander <ASwanson@gibsondunn.com>; David Ko <dko@kellerrohrback.com>  
**Cc:** Daniel Garrie <dgarrie@jamsadr.com>; Matthew Levington <MLevington@jamsadr.com>  
**Subject:** Re: In re Facebook: December 16 Mediation

[WARNING: External Email]

Dear Counsel,

I hope you had a good weekend. I look forward to seeing some of those of you not taking/defending the deposition Thursday. Please exchange your proposed agenda for our 12/16 mediation and serve it no later than noon 12/15.

Thank you.

Gail Andler

*Judge Gail Andler (Ret.)*

On Dec 7, 2021, at 8:09 PM, Lesley Weaver <[lwweaver@bfalaw.com](mailto:lwweaver@bfalaw.com)> wrote:

Thanks very much for your prompt response. Plaintiffs wish to proceed on 12/16 and are available to do so.

On Dec 7, 2021, at 6:34 PM, Gail Andler <[judgeandler@icloud.com](mailto:judgeandler@icloud.com)> wrote:

Thank you for your email. I am not available 12/14 or 12/15 but would be ready to move forward on 12/16 with those not in deposition. Let me know if this works for the rest of you.

Best,

Gail

*Judge Gail Andler (Ret.)*

On Dec 7, 2021, at 4:20 PM, Kutscher Clark, Martie <[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com)> wrote:

Dear Judge Andler, Special Master Garrie, and Counsel,

It has come to our attention that the parties scheduled a deposition for December 16, which is the same day as our next mediation session. Special Master Garrie is to attend depositions under our Deposition Protocol and obviously cannot be in two (virtual) places at the same time.

Would Judge Andler, Special Master Garrie, and Plaintiffs be available to move our upcoming

mediation session to either December 14 or December 15? If that is not possible, would you all be comfortable if Judge Andler conducted the mediation session on the 16th with the attorneys from the parties who are not planning to attend the deposition that day?

Best,  
Martie

**Martie Kutscher Clark**

**GIBSON DUNN**

Gibson, Dunn & Crutcher LLP  
1881 Page Mill Road, Palo Alto, CA 94304-1211  
Tel +1 650.849.5348 • Fax +1 650.849.5048  
[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

---

This message may contain confidential and privileged information for the sole use of the intended recipient. Any review, disclosure, distribution by others or forwarding without express permission is strictly prohibited. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Please see our website at <https://www.gibsondunn.com/> for information regarding the firm and/or our privacy policy.

---